IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 712/2003

ANEES Vs. STATE OF RAJASTHAN & ANR.

DATE: 25.01.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. S.R. Surana for the petitioner.
Mr. Ashwani Kumar Sharma, PP for the State.
Mr. S.R. Yadav for the applicant/respondent No.2.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and learned counsel appearing on behalf of the complainant-applicant.

This revision petition is preferred by the petitioner under Section 397 Cr.P.C. against the judgment dated 10.06.2003 passed by the Additional Sessions Judge No.6, Jaipur City, Jaipur in Criminal Appeal No. 10/2003, whereby the Appellate Court has given the benefit of probation to the accused-petitioner under Section 4(1) of the Probation of Offenders Act.

Having considered the rival submissions of the respective parties and after going through the

impugned judgment dated 10.06.2003 passed by the Appellate Court, I find no illegality or error apparent on the face of the record in the impugned judgment and the same requires no interference by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

Learned counsel appearing for the complainant-applicant has also moved an application under Section 482 Cr.P.C. with the request that the original documents; Allotment letter dated 01.06.88 along with terms of conditions (Ex.P3), Site Plan of plot No. 3 (C), Govind G.N.S. Samiti Ltd. (Ex.P4), Receipt dated 24.05.88 (Ex.P5) and Agreement dated 24.04.96 (Ex.P6), which are submitted before the trial Court, be returned back.

Considering the submissions made on behalf of the complainant-applicant, I deem it proper to direct the trial Court to return the aforesaid original documents to the complainant-applicant.

The application stands allowed.

(K.S. RATHORE),J.

/KKC/